

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Toyoshima)	Art Unit: 2816	#4
Serial No.: 09/976,455)	Examiner: Unk.	
Filing Date: October 11, 2001)	Case No.: 50R4784	
For: HOME NETWORK USING WIRELESS MODULE)	July 29, 2004	
)	750 B Street, Suite 3120	
)	San Diego, CA 92101	

**TRANSMITTAL LETTER - PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b); RESPONSE TO NOTICE
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Commissioner of Patents and Trademarks
Alexandria, VA 22313

RECEIVED
OFFICIAL CENTRAL FAX CENTER
JUL 29 2004


Dear Sir:

In response to the Notice of Abandonment dated November 13, 2003, applicant requests that this application be revived. In support of this action, enclosed herewith are the following:

- (1) Petition for Revival of an application for Patent Abandoned Unintentionally (PTO/SB/64) in 2 pages;
- (2) Reply Petition to Revive in 2 pages;
- (3) Notice of Abandonment in 1 page;
- (4) Notice to File Missing Parts of Nonprovisional Application in 1 page;
- (5) Declaration and Power of Attorney in 3 pages;
- (6) Credit Card Payment Form PTO-2038 to cover filing fees.

RECEIVED
AUG 10 2004
OFFICE OF PETITIONS

Respectfully submitted,


John L. Rogitz, Attorney of Record
Registration No. 33,549
750 "B" Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

RECEIVED
JUL 30 2004
OIP/E/JCWS

We are transmitting a total of 10 page(s) including this cover sheet on July 29, 2004

IF YOU DO NOT RECEIVE ALL TRANSMITTED PAGES, PLEASE CALL US AT:
619/338-8075

ORIGINAL DOCUMENTS WILL BE SENT VIA:

☐ U.S. MAIL ☐ FEDERAL EXPRESS ☐ MESSENGER ☐ WILL NOT BE SENT

FROM

(THU) JUL 29 2004 12:09/SA 12:07/No. 6833031073 P 3

RECEIVED
CENTRAL FAX CENTER

JUL 29 2004

OFFICIAL

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)Docket Number (Optional)
50P4257.02

First named inventor: Akihiko Toyoshima

Application No.: 09/976,455

Art Unit: 2681

Filed: October 11, 2001

Examiner: Unk.

Title: HOME NETWORK USING WIRELESS MODULE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Notice to File Missing Parts, Petition to Revive (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ADJUSTED date: 08/02/04
08/02/04 GWORUP20
08/31/2004 KRELLEY 000
01 FC:1453

PTO/SB/64 (08-03)

Approved for use 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

JULY 28, 2004

Date

Signature

Telephone

Number: (619) 338-8075

John L. Rogitz

Typed or printed name

750 B Street, Suite 3120

Address

San Diego, CA 92101

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

July 29, 2004

Date

Signature

Jennifer Gryglel

Type or printed name of person signing certificate

[Page 2 of 2]

**RECEIVED
CENTRAL FAX CENTER**

JUL 29 2004

OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Applicant: Toyoshima

Serial No.: 09/976,455

Filed: October 11, 2001

Art Unit: unk.

Examiner: unk.

50P4257.02July 29, 2004
750 B STREET, Suite 3120
San Diego, CA 92101**PETITION TO REVIVE**Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

In response to the Notice of Abandonment dated November 13, 2003, Applicant requests that this application be revived. The entire delay in responding to the outstanding Notice to File Missing Parts until the Notice of Abandonment was received was unintentional, and derived from the fact that during this period the assignee, Sony Corp., moved the center of its Intellectual Property Department from New Jersey to California, resulting in an unintentional loss of a calendared event to respond to the Notice to File Missing Parts. The entire delay in responding after the Notice of Abandonment was due to the fact that inventor Toyoshima had relocated to Japan, delaying assignee's response until the signatures for responding to the Notice to File Missing Parts could be complied with.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

1158-104.PET

FROM

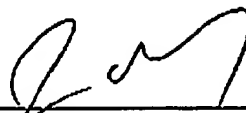
(THU) JUL 29 2004 12:09/ST.12:07/No. 6833031073 P 6

CASE NO.: 50P4257.02
Serial No.: 09/976,455
July 29, 2004
Page 2

PATENT
Filed: October 11, 2001

willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



John L. Rogitz
Registration No. 33,549
Attorney of Record
750 B Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

JLR:jg

1168-104.P67



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/976,455	10/11/2001	Akihiko Toyushima	50P4257.02

CONFIRMATION NO. 9916

ABANDONMENT/TERMINATION
LETTER

OC000000011251048

Sony Electronics, Inc.
123 Tice Blvd. - MD T1-1
Woodcliff Lake, NJ 07677

Date Mailed: 11/13/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/14/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

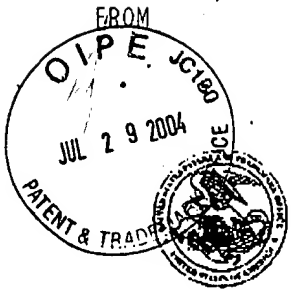
Request Withdrawal
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

00000000 0976455

02 FC:126 172.00 DP
02 FC:105 130.00 DP

Adjustment Date: 08/31/2004 AKELLEY
08/02/2004 SHORDOF1 00000008 0976455
01 FC:126 -172.00 DP
02 FC:105 -130.00 DP
08/31/2004 AKELLEY 00000018 0976455
02 FC:126 172.00 DP
03 FC:105 130.00 DP



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/976,455	10/11/2001	Akihiko Toyoshima	50P4257.02

CONFIRMATION NO. 9916

FORMALITIES LETTER



OC000000007062464

Sony Electronics, Inc.
123 Tice Blvd. - MD T1-1
Woodcliff Lake, NJ 07677

Date Mailed: 11/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$168.
 - \$168 for 2 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1038.

*A copy of this notice **MUST** be returned with the reply.*

H.T.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEY DOCKET NO. 50P4257.02

Page 2

I hereby claim the benefit under Title 35, United States Code, §119 of any United States provisional application(s) listed below.

U.S. Provisional Application Number
60/240,011

Filing Date
October 13, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the Filing date of the prior application and the national or PCT international Filing date of this application.

Application
Serial No.

Date of Filing

Status
patented, pending abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John L. Rogitz

Reg. No. 33,549

Send Correspondence and direct telephone calls to:

ROGITZ & ASSOCIATES
750 B Street, Suite 3120
San Diego, California 92101
Telephone: (619) 338-8075
Fax: (619) 338-8078

I also hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter C. Toto	Reg. No. 36,293
Jaime A. Siegel	Reg. No. 39,027
Harold T. Fujii	Reg. No. 38,458
Frederick J. Zustak	Reg. No. 36,728
Mark Gorman	Reg. No. 43,641
Ronald C. Card	Reg. No. 44,587
Christopher B. Allenby	Reg. No. 45,806
Milton M. Frazier	Reg. No. 44,687

Whose address is as follows:

Sony Electronics Inc.
16450 West Bernardo Drive, MZ 7190
San Diego, CA 92127-1898
Telephone: (858) 942-2897
Fax: (858) 942-7120



ATTORNEY DOCKET NO. 50P4257.02

Page 1

**DECLARATION AND POWER OF ATTORNEY FOR
NEW PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HOME NETWORK USING WIRELESS MODULE

the specification of which:

☐ is attached hereto.

☒ was filed on October 11, 2001 as serial no. 09/976,455
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a Filing date before that the application on which priority is claimed.

Foreign Application(s), if any, for Patent or Inventor's Certificated Filed Within 12 Months Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u> (day, month, year)	<u>Priority Claimed</u> <u>Under 35 U.S.C. §119</u>
----------------	------------------------	---------------------------------------------	--------------------------------------------------------

☐ YES ☐ NO

All Foreign Applications, if any, for Patent or Inventor's Certificate Filed More Than 12 Month's Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>
----------------	------------------------	-----------------------

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor (s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application(s)</u> <u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
------------------------------------------------------	----------------	-----------------------------	-------------------------

___ Yes ___ No

ATTORNEY DOCKET NO. 50P4257.02

Page 3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the U. S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Akihiko Toyoshima
Inventor's signature

Date 7/28/2004

AKIHIKO TOYOSHIMA
Name of sole or first inventor

2-20-12 Katase, Fujisawa, Kanagawa, Japan 251-0032
Residence (City, State)

Same
Post Office Address

Japan
Citizenship